



**Liquor and Tobacco Advisory Board Agenda  
Tuesday, March 15, 2022  
5:30 P.M. – City Council Chambers, 2<sup>nd</sup> floor, City Hall  
via video conference on Cisco Webex  
425 East State Street  
Rockford, IL 61104  
779-348-7423**

**Present:**

**ZBA Members:**

Dan Roszkowski  
Jennifer Smith  
Kim Johnsen  
Maurice Redd  
Craig Sockwell  
Jennifer Spencer

**Absent:**

Tom Fabiano

**Staff:**

Megan McNeill - Assistant City Attorney  
Leisha Kury - Administrative Assistant  
Scott Capovilla – Planning and Zoning Manager  
Mike Rotolo - Fire Prevention Coordinator  
Jeremy Carter - Traffic Engineer

**Others:**

Camille Connell - Court Stenographer  
Alderman Aprel Prunty  
Applicants and Interested Parties

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Scott Capovilla, Planning & Zoning Manager, stated that this meeting was being held remotely as the Mayor has determined that an in-person meeting is not practical or prudent because of the COVID-19 pandemic.

Scott Capovilla explained the format of the virtual meeting and the rules of procedure, as follows:

Due to the COVID-19 pandemic and social distancing restrictions, this public hearing for the Liquor and Tobacco Advisory Board was held by video conference, using Cisco Webex. The audio was streamed at City Hall in Council Chambers and on the City's website.

As the host, he would be monitoring microphones and attendees during the meeting. Notices and agendas were posted and sent about this meeting which informed interested parties about the ways they could submit comments and questions regarding agenda items. This included: written public comments being submitted by 5:00 pm, on March 15, 2022, to Board Secretary Leisha Kury's email, or the City's permit center located on the first floor at City Hall or coming to City Hall to listen to the meeting and present any comments in Council Chambers.

The agenda and staff recommendation packets were also posted on the City's website. All applicants on the conference had previously consented to proceeding with the virtual hearing. Some additional rules for the meeting:

- Please speak clearly and not too fast so the court stenographer can make an accurate record.
- Please be sure to identify yourself before speaking.
- Applicants and interested parties, after being sworn in by the Chair, please state and spell your name for the record.
- If you're not speaking and I fail to mute you, please mute yourself so that the meeting is not disrupted
- No person will be allowed to speak unless they are first recognized by the Chair
- All votes will be by roll-call
- Since we're on video /audio, please refer to exhibits or page numbers, if applicable. All exhibits should have been provided prior to the meeting and within the recommendation packet. Due to this being a virtual hearing, applicants if you have any new exhibits that you want considered by the Board for your request, you may request a layover. Those exhibits will also need to be provided to Staff and the public as part of the complete packet.
- If you are having any technical issues, please use the chat box function and send a message directly to me "Scott" or use the raise your hand function.
- Applicants, should you have technical issues or decide to lay your item over instead for whatever reason, please let the Board know when your item is called.

Lastly, the procedure would be as follows:

- The Chair will call the address of the application.
- The Applicant or representative will be unmuted and be sworn in.
- The Applicant or representative will present their request to the Board.
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties present at City Hall or any emails to be read into the record. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and state and spell their name for the record. Planning staff will read any written comments into the record that were received in advance.
- The Objector or Interested Party will state their name and present all their concerns, objections and questions regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions raised.
- Interested party at City hall will have another opportunity to provide any additional follow up based on the Applicant's responses.
- The Board will then deliberate and a roll call vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, March 28, 2022, at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, April 4, 2022. If the item is

laid over at the LTAB meeting, the next meeting is **Tuesday, April 19, 2022**. If for any reason the item is laid over at the committee level or on the City Council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 7:15 PM. A **MOTION** was made by Craig Sockwell to **APPROVE** the February 15, 2022 meeting minutes. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 5-0-1 via roll call vote with Jennifer Spencer abstaining.

**22-LTAB-003**

Applicant  
Ward 1

**76XX, 7675 Walton Street**

Nikki Lynn Widstrom / 7675 Walton LLC dba Hilton Gardens  
**The sale of liquor by the drink** in conjunction with a hotel and outdoor seating area in a C-3, General Commercial District

Attorney Jennifer Gallery, representing 7675 Walton LLC, spoke on behalf of this application. Attorney Gallery stated this is a new corporate applicant and, therefore, they will need a new license. Attorney Gallery stated they would be operating this location with the same business model as before.

Attorney Megan McNeill asked if they agree with the staff recommendations with conditions. Attorney Gallery responded they do agree.

No objectors or interested parties were present.

A **MOTION** was made by Jennifer Spencer to **APPROVE** the sale of liquor by the drink in conjunction with a hotel and outdoor seating area in a C-3, General Commercial District. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0 via roll call vote.

Approval is based on the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. The sale of alcoholic beverages shall be in conjunction with a hotel and outdoor seating area.
4. The hours of operation will need to be in accordance with the Liquor Code.
5. The proposed use shall not have a cover charge.
6. The proposed use shall not have a dance floor.
7. The proposed use shall not have any DJs.
8. The proposed use shall not operate as a nightclub.
9. The proposed use and facility is prohibited from having any video gaming machines.
10. Window display signage is limited to 20% of window area.
11. The windows shall not be covered with bars or other devices that block the windows.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinance fines must be paid prior to issuance of the license.
14. All conditions must be met prior to establishment of use.

**22-LTAB-004**

Applicant

Ward 1

**290 Mill Road**

Ahmed M Saeed / Convenient Smoke Times, Inc. dba Convenient Smoke Times, Inc.

**The sale of tobacco products** in conjunction with a tobacco store in a C-2, Limited Commercial Zoning District

Ali Hariz was present, on behalf of his uncle Ahmed Saeed. Mr. Hariz stated he would be the manager at Convenient Smoke Times. They plan to sell cigars, many of which will be high end, and they provide a more high class, five star service.

Attorney McNeill asked if the applicant read the staff recommendation and agreed with the conditions.

Mr. Hariz responded yes.

No objectors or interested parties were present.

A **MOTION** was made by Maurice Redd to **APPROVE** the sale of tobacco products in conjunction with a tobacco store in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 6-0 via roll call vote.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including the Tobacco Code.
3. Submittal of Building Permit for Staff review and approval.
4. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit E.
5. The hours of operation and days will be 8:00 A.M. to 10:00 P.M. Monday through Sunday.
6. Submittal of an updated business plan indicating what other products are to be sold in conjunction with the tobacco store.
7. The sale of rose tubes, airplane-sized bottles (50ml (1.73 ounces) or less) and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
8. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
9. Window display signage is limited to 20% of window area.
10. There shall not be temporary exterior signage.
11. The windows shall not be covered with bars or other devices that block the windows.
12. That the windows shall not be covered by a film.
13. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
14. All outstanding general ordinance fines must be paid prior to the issuance of the license.
15. All conditions must be met prior to establishment of use.

**22-LTAB-005**

Applicant  
Ward 6

**3164 11th Street**

Family Dollar, Inc. dba Family Dollar Store #21453

**The sale of packaged beer and wine** in conjunction with a retail store in a C-2, Limited Commercial and C-3, General Commercial Zoning Districts

Attorney Jonathan Crumly, representing Family Dollar, Inc., spoke on behalf of this application. Attorney Crumly stated Family Dollar is requesting the sale of packaged beer and wine. The staff report that was provided does not represent comparables to what Family Dollar is or the attended use. Attorney Crumly said the only comparable business to Family Dollar is the Walgreens. Attorney Crumly stated there is a couple of business mentioned in the staff report that are not open. Attorney Crumly did not feel that gas station and convenience stores were comparable to the Family Dollar.

Kim Johnsen asked if Family Dollar has a license to sell packaged beer in a different location other than Rockford. Attorney Crumly responded he is not sure who is license, but there is another Family Dollar on the agenda tonight that they are requesting for beer and wine sales as well.

Jennifer Spencer asked how many stores they have in the Rockford Area. Attorney Crumly responded he does not know about any other stores other than the ones he is representing this evening.

The Board continued to discuss among the members the topic of allowing beer and wine sales at this location.

A **MOTION** was made by Jennifer Smith to **DENY** the sale of packaged beer and wine in conjunction with a retail store in a C-2, Limited Commercial and C-3, General Commercial Zoning Districts. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0 via roll call vote.

**22-LTAB-006**

Applicant  
Ward 5

**1432 South Main Street**

Family Dollar, Inc. dba Family Dollar Store #26798

**The sale of packaged beer and wine** in conjunction with a retail store in a C-2, Limited Commercial Zoning District

Attorney Jonathan Crumly, representing Family Dollar, Inc., spoke on behalf of this application. Attorney Crumly stated Family Dollar is requesting the sale of packaged beer and wine which is the same request for the Family Dollar located at 3164 11<sup>th</sup> street. Once again, Attorney Crumly showed businesses provided in the staff report that he felt did not accurately reflect a comparable to the Family Dollar. He even pointed out a store that he believed was closed.

Dan Roszkowski asked if there was liquor sales in the grocery store and gas station. Scott Capovilla responded that the Mobil Gas Station is an unmanned, self-serve only station without a convenience store and the La Chiquita does sell full liquor. Mr. Capovilla also pointed out that the South Main Food and Liquor Store across the street is open and the City continues to have issues at that location.

A **MOTION** was made by Maurice Redd to **DENY** the sale of package beer and wine in conjunction with a retail store in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0 via roll call vote.

With no further business to come before the Board, the meeting was adjourned at 7:43 PM.

Respectfully submitted,  
Leisha Kury, Administrative Assistant  
Liquor and Tobacco Advisory Board